

FILED

UNITED STATES DISTRICT COURT

MAR 18 2019

for the

David J. Bradley, Clerk

Southern District of Texas

United States of America)

v.)

GONZALEZ, David Jr. YOB: 2000)
United State Citizen)

Case No. M-19-0631-M

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 3/18/2019 in the county of Starr in the
Southern District of Texas, the defendant(s) violated:

Code Section

21 USC 841 (a) (1)

Offense Description

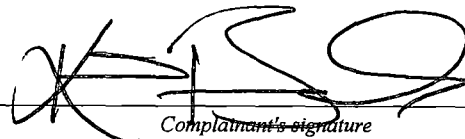
Knowingly and intentionally possess,
with intent to distribute approximately
105.0 kilograms of marijuana, a Schedule
I Controlled Substance under the
Controlled Substance Act.

This criminal complaint is based on these facts:

SEE ATTACHMENT A

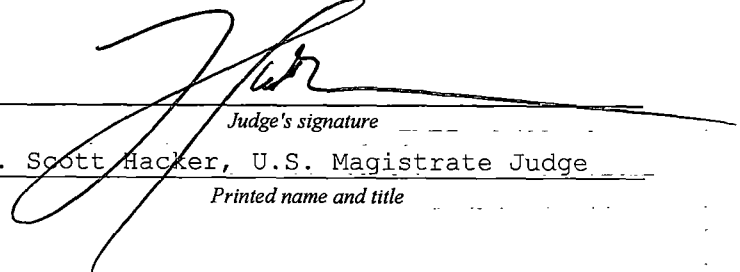
☒ Continued on the attached sheet.

Sworn to before me and signed in my presence.

Date: 3/18/2019City and state: McAllen, Texas
Complainant's signature

Kevin Beverley, Special Agent (SA), DEA

Printed name and title


Judge's signature

J. Scott Hacker, U.S. Magistrate Judge

Printed name and title

Attachment A

On March 17, 2019, at approximately 8:40 P.M., Border Patrol Agents (BPAs) were conducting lay in operations near La Fragua Avenue in Roma, Texas near the riverbank of the Rio Grande River. BPAs near the river observed multiple subjects on an island across the river setting up a raft and observed them cross the river to the United States' riverbank. Shortly thereafter, Tango 2, a fixed tower with long range daytime/nighttime camera capabilities, observed six (6) subjects running north with suspected bundles near La Fragua Avenue in Roma, Texas.

During the same time, Rio Grande Valley Sector Intelligence Unit (RGV SIU) Agents were sitting a distance north of the river in an unmarked Border Patrol vehicle and observed a white, Ford Expedition travel into an area known as the "Purple Apartments" located at the south side of La Fragua Avenue. As the Ford Expedition entered the area, the driver of the vehicle turned off the lights and reversed as far south as the vehicle could travel. Shortly thereafter, the RGV SIU agents observed multiple subjects run up to the Ford Expedition and the RGV SIU agents advised the ground BPAs in the area to respond. BPA Joshua Dickson responded to the area with his emergency lights and siren of his marked Border Patrol vehicle and observed a white, Ford Expedition with an open door, engine running, and what appeared to be several bundles in the rear cargo area of the vehicle which they suspected were narcotics. The bundles were packaged in black bags, brown tape and rope. BPAs on scene thoroughly searched the area for more suspected narcotics and subjects, locating one subject by the river bank south of the abandoned vehicle. The subject was later identified as David GONZALEZ Jr. GONZALEZ was transported to the RGC Border Patrol station along with four (4) bundles of suspected marijuana, weighing approximately 105 kilograms.

On the March 18, 2019, at approximately 1:30 A.M, DEA Special Agent (SA) Kevin Beverley and Task Force Officer (TFO) Adam Chavera responded to the United States Border Patrol Rio Grande City Station to investigate this incident and were apprised of the details regarding this case. TFO Chavera read GONZALEZ his Miranda Rights in his preferred language of Spanish, as witnessed by SA Beverley, and agreed to answer some questions without an attorney present. GONZALEZ stated he received a phone call on March 17, 2019, from an unknown subject in Mexico who instructed him (GONZALEZ) to transport the white, Ford Expedition containing marijuana to a Whataburger in Roma, Texas. All questioning was stopped when GONZALEZ had no further information to provide.



M-19-0631-M

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

BY: ☒ COMPLAINT ☐ INFORMATION ☐ INDICTMENT

OFFENSE CHARGED

Possession with the Intent to
DistributeUnited States District Court
Southern District Of Texas
FILED

MAR 18 2019

David J. Bradley, Clerk

- ☐
- Petty
-
- ☐
- Minor
-
- ☐
- Misdemeanor
-
- ☒
- Felony

Place of Offense

Southern District of
Texas

U.S.C. Citation

21 USC 841 (a) (1)

PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

Drug Enforcement Administration

☐ person is awaiting trial in other Federal or State court,
give name of court

☒ this person/proceeding is transferred from another district
per (circle one) FRCrP 20, 21 or 40. Show District

☒ this is a reprosecution of charges
previously dismissed which were
dismissed on motion of:
SHOW
DOCKET NO.
☐ U.S. Att'y ☐ Defense

☒ this prosecution relates to a pending
case involving this same defendant

☐ prior proceedings or appearance(s)
before U.S. Magistrate regarding
this defendant were recorded under
MAGISTRATE
CASE NO.

and Office of Person

giving Information on

THIS FORM

SA Kevin Beverley, DEA

☐ U.S. Att'y

☐ Other U.S.

☐ of Asst. U.S. Att'y
signed)

Name of District Court, and/or Judge/Magistrate Location (City)

Southern District of Texas
McAllen Division
U.S. Magistrate J. Scott Hacker

DEFENDANT - U.S. vs.

▶ GONZALEZ, David Jr.

Address { Roma, Texas
United State CitizenBirth
Date 2000☒ Male☐ Alien☐ Female

(if applicable)

(Optional unless a juvenile)

DEFENDANT

IS NOT IN CUSTODY

- 1) ☐ Has not been arrested, pending outcome this proceeding
If not detained give date any prior
summons was served on above charges ▶
- 2) ☐ Is a Fugitive
- 3) ☐ Is on Bail or Release from (show District)

IS IN CUSTODY

- 4) ☒ On this charge
- 5) ☐ On another conviction } ☒ Fed'l ☐ State
- 6) ☐ Awaiting trial on the charges
If answer to (6) is "Yes", show name of institution

Has detainer
been filed? ☐ Yes
☒ NoIf "Yes"
give date
filedDATE OF
ARREST ▶ 03-18-2019

Or ... if Arresting Agency & Warrant were not Federal

DATE TRANSFERRED
TO U.S. CUSTODY ▶☐ This report amends AO 257 previously submitted

ADDITIONAL INFORMATION OR COMMENTS